

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                               |   |                             |
|-------------------------------|---|-----------------------------|
| IN RE: CATHODE RAY TUBE (CRT) | ) | MDL No. 1917                |
| ANTITRUST LITIGATION          | ) |                             |
|                               | ) | Case No. C-07-5944-SC       |
|                               | ) |                             |
| This Order Relates To:        | ) | ORDER TO SHOW CAUSE RE:     |
|                               | ) | APPOINTMENT OF A SPECIAL    |
|                               | ) | MASTER PURSUANT TO THE CASE |
| ALL ACTIONS                   | ) | <u>STATUS CONFERENCE</u>    |
|                               | ) |                             |
|                               | ) |                             |

On August 7, 2015, the parties met for a case status conference. Pursuant to discussion therein, the Court intends to appoint U.S. Magistrate Judge (Ret.) James Larson as Special Master and charge him to produce Reports and Recommendations ("R&Rs") on all appropriate pending motions required for trial in the above captioned case. See Fed R. Civ. P. 53(a)(1)(C). This includes all summary judgment motions, motions in limine, and Daubert motions pertaining to matters that will remain within this judicial district, and further includes motions for cases that will be remanded to a different jurisdiction of origin which Judge Larson believes can be decided applying Ninth Circuit law without any significant risk of conflicting circuit law resulting in appellate issues. The Court would authorize Judge Larson to hold hearings at his discretion should he believe doing so would be helpful in

1 resolving a motion pending before him. Judge Larson is appointed  
2 with the express condition that all his R&Rs are to be provided  
3 directly to Chambers for in camera review and he is not to share  
4 them with or otherwise make them known to any party. See Fed. R.  
5 Civ. P. 53(e). Once the Court has determined that settlements are  
6 sufficiently finalized and the proper time has arrived to act on  
7 the R&Rs, the Court will publish the collected R&Rs to the parties  
8 for review, opportunity to be heard, and objections. See Fed. R.  
9 Civ. P. 53(f)(1)-(2). To ensure all objections can be reviewed and  
10 settled without endangering the soon-to-follow trial dates, the  
11 Court intends to limit the time for objections to 10 days following  
12 publication of R&Rs. See Fed. R. Civ. P. 53(f)(2).

13 This appointment and these restrictions will allow the parties  
14 to continue in their efforts toward pending settlements while also  
15 preparing the Court to quickly proceed to trial once dates are  
16 announced during an upcoming trial setting conference. Any order  
17 appointing Judge Larson will be understood not to alter the  
18 appointment of Judge Vaughn R. Walker as Special Master over a  
19 different subset of motions in this case.

20 Parties have already been given some opportunity to be heard  
21 pursuant to Fed. R. Civ. P. 53(b)(1), but are hereby ORDERED to  
22 SHOW CAUSE, in writing, within 10 days of the date of this order  
23 should any have further objections to the Court's appointment. No  
24 action is required should a party have no further objection. All  
25 other matters discussed during the status conference are addressed  
26 in a related minute order, ECF No. 3961, or else parties may file  
27 their requests with the Court. In so doing, be advised the Court  
28 has already carefully considered the order of trials and remains

1 disinclined to alter its announced plan unless the relevant parties  
2 should settle and thus obviate a need for some of the trials.

3 The Court is made aware of settlements in the normal course of  
4 filings by Parties. However, Parties are hereby ORDERED to also  
5 notify any relevant Special Master of any settlements reached and  
6 associated motions thereby mooted otherwise pending before that  
7 Special Master on or after the date of this order. Such notice  
8 must be given within 1 business day of reaching a settlement, shall  
9 be given in whatever manner deemed convenient by the relevant  
10 Special Master (vice being filed in ECF), and shall be separate  
11 from any notice to or approvals otherwise required by the Court  
12 (whose procedures remain unchanged). A "relevant Special Master"  
13 includes Judge Larson, Judge Walker, or whomever else the Court has  
14 or may in the future appoint to assist in pre-trial, discovery, or  
15 other appropriate matters.

16  
17 IT IS SO ORDERED.

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19 Dated: August 17, 2015



20 UNITED STATES DISTRICT JUDGE  
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